

Appln. No. 10/736,309  
Response dated February 5, 2007  
Reply to Office Action of November 3, 2006  
Docket No. BOC9-2000-0016 (429)

**REMARKS/ARGUMENTS**

These remarks are submitted in response to the Office Action of November 3, 2006 (hereinafter Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. Nonetheless, the Examiner is expressly authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-0951.

Claims 1-19 were rejected under 35 U.S.C. 102 (e) as being anticipated by U.S. Published Patent Application No. 2004/0146021 to Fors, *et al.* (hereinafter Fors). Claims 20-21 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Fors in view of in view of U.S. Published Patent Application No. 2005/0286501 to Higuchi (hereinafter Higuchi).

As of this amendment, independent Claims 1, 7, 11, 15, and 19 have been amended to emphasize certain aspects of Applicants' invention. Dependent Claims 4, 5, and 21 have also been amended to main consistency among the claims. As discussed herein, the amendments are fully supported throughout the Specification. No new matter has been introduced by this amendment.

**Aspects Of Applicant's Invention**

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as exemplified by amended Claim 1, is a gateway serving as an interface between a mobile network and a wireless network. The gateway can interface with a mobile switching center of the mobile network and can be configured to appear as an additional mobile data base station of the mobile network. In operation, when a mobile device accesses a wireless network coupled to the gateway, the gateway relies on the normal handoff operation of the wireless network to prompt the mobile switching center to handoff a communication with a mobile device from the mobile data base station currently handling the communication

to the wireless network. In particular, the gateway sends a signal to the mobile switching center, indicating a heightened signal strength which can prompt the mobile switching center to handoff the call to the gateway. (See, e.g., Specification, para. [0042]-[0043].)

In some embodiments, as exemplified by amended Claim 19, the mobile device can also be configured to prompt or expedite the handoff. In particular, the mobile device can be configured to access a wireless network and establish a connection with the gateway. The mobile device can then be configured to lower a transmission power to a mobile data base station currently handling the call, which prompts the mobile switching center to search for other mobile data base switching station having a greater signal. The gateway, being already configured to appear as an additional data base station, can provide a heightened signal strength to the mobile switching center and prompt the mobile switching center to handoff the call to the gateway. (See, e.g., Specification, para. [0042].)

**The Claims Define Over The Cited References**

As already noted, independent Claims 1, 7, 11, 15, and 19 were each rejected as being anticipated by Fors. Fors is directed to an apparatus and method for effecting the "handoff [of calls] from a cellular wireless network to a non-cellular wireless network," such as a wireless local network (WLAN). (See, e.g., paragraph [0015]; see also Abstract, lines 1-5.) In particular, the method disclosed in Fors comprises the following steps: 1) A mobile device determines handoff is preferred and sends a handoff request to a gateway of a wireless network (See, e.g., paragraph [0029]); 2) The gateway verifies the request and acknowledges the request and provides gateway information (See, e.g., paragraph [0029]); 3) The mobile device then sends a signal to the wireless network, the message comprising signal strength and target gateway information (See, e.g., paragraph [0031]), which prompts the wireless network to transfer the call to the target gateway (See, e.g., paragraph [0032]-[0036]). As such, Fors requires the specially configured actions of the gateway, the mobile network, and the mobile device.

Applicants respectfully assert, however, that Fors fails to expressly or inherently teach every feature recited in independent Claims 1, 7, 11, and 15. Fors fails to disclose a transfer method that requires only the concerted actions of a specially configured gateway and mobile device to initiate a transfer. Instead, Fors also requires that the mobile network be specially configured to operate with a gateway to initiate the transfer. In particular, Fors requires that the mobile network be aware of the identity and location of WLAN to contact thru the gateway to be used prior to transferring the call. This is accomplished by the gateway sending the mobile device a handoff target identifier, which the mobile device forwards to the mobile network. The handoff target identifier provided to the mobile network, allows the mobile switching center of the mobile network to access the correct gateway and configure the connection to the gateway to transfer the call from the mobile network to the wireless network. (See, e.g., paragraph [0031]-[0032]). This requires the mobile network to be reconfigured to allow the mobile network to interpret the handoff target data in order to properly connect to the handoff target prior to transferring the call to the wireless network. (See, e.g., paragraph [0032]). This method further fails to take advantage of the inherent capability of the mobile switching center to transfer a call based on signal strength received from the mobile device.

In contrast, the present invention takes advantage of the normal operation of a mobile network to prompt a handoff and requires that only the mobile device and the gateway to be specially configured. In particular, the present invention relies on the normal automatic handoff operation of a call from one mobile data base station (MDBS) to another based on a signal provided to the mobile network indicative of signal strength of the mobile device. In particular, the present invention provides that the gateway can be configured to appear to the mobile switching center (MSC) as just another MDBS. In operation, once a mobile device determines that handoff is preferred, can lower its transmission power to an current MDBS, which triggers the MSC to begin polling for a new MBDS to hand off a call to. The gateway, already configured to appear as a MBDS

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can then provide a signal to the MSC, just as any other MBDS. (See, e.g., paragraph [0042]). The signal to the MSC can be provided using any standard communication protocol, reducing even further the need to provide additional configuration of the mobile network. The gateway can further use a signal indicative of heightened signal strength to trigger the MSC automatically transfer the call to the wireless network as if it were another MBDS. (See, e.g., paragraph [0043]).

Accordingly, Fors fails to expressly or inherently teach every feature recited in independent Claims 1, 7, 11, 15, and 19. Applicants, therefore, respectfully submit that the claims define over the prior art. Applicants further respectfully submit that whereas Claims 2-6, 8-10, 12-14, 16-18, and 20-21 each depend from one of independent Claims 1, 7, 11, 15, and 19 while reciting additional features, these dependent claims likewise define over the prior art.

### **CONCLUSION**

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

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Respectfully submitted,

Gregory A. Nelson, Registration No. 30,577  
Richard A. Hinson, Registration No. 47,652  
Eduardo J. Quinones, Registration No. 58,575  
AKERMAN SENTERFITT  
Customer No. 40987  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Telephone: (561) 653-5000